

previous order, following the remarks of Senator LANKFORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oklahoma.

### CORONAVIRUS

Mr. LANKFORD. Mr. President, last week, President Biden announced that he had lost patience with the American people and that he was demanding people get a vaccination.

Now, I have had the vaccine. I am grateful for the vaccine. But it is an entirely different issue for the President of the United States to wag his finger at the American people and to say: I know what you have chosen, but I choose something different, and you are going to follow me.

To literally instruct every employer with 100 employees or more, every Federal contractor, every Federal employee to bend to the will of the President and take this injection, that is a very different thing.

There are over 39 million Americans right now, that we know of, that have already had COVID-19, have survived it, and have natural immunity. The President's demand for a vaccine ignored those almost 40 million Americans that already have natural immunity. His demand was: I know you have natural immunity. I want you to get this vaccine as well.

It ignores cancer survivors who are very, very careful about what goes into their system. It ignores people with religious objections, and there are millions who have religious objections. It ignores individuals who just don't want to do it because they are an American and they don't have to and they do not like to have a Federal Government instructing them what they are going to actually put in their body.

Now, ironically, this was a random selection of companies that have 100 employees and up, so I assume that if you have 99 employees, you are all fine, but if you have 100 employees, it is totally different. There seems to be no accounting for where your employees work. Are your employees all tightly packed, all 100 in one small room, or are your employees all working outside? Do you have 100 employees, but they are in 19 different locations?

There seems to be no accommodation for any of those. It is just the President saying: I have lost patience. You need to go get the vaccine immediately.

So, by Thanksgiving, he is planning on laying this vaccine mandate down on the country. There are multiple problems there, as I have already outlined: the 40 million people who have already survived COVID and don't want to do the vaccine, the individuals in different medical treatments, the individuals with different other religious issues that they have.

But it is also an issue of trying to have a mandate come down from the Federal Government with an Executive

order. That is not how our system works. The President of the United States does not have the ability to be able to just demand behavior from the American people. That is not their role.

It has been interesting to me. I have had several people who have reached out to me and said: I found out that the President's order exempts Congress. So how come you get an exemption and I don't?

I quickly responded back to them: Because we are a coequal branch of government, and the President is trying to find everybody under his purview to be able to do this. But the judicial branch and the legislative branch aren't under his purview. Neither should be the American people because the American people do not work for the President of the United States. And companies of 100 people or more, their chief executive, their leadership does not work for the President of the United States.

So now what? There are lawsuits that are pending, but those lawsuits can't move forward until the actual paperwork comes out from the White House. When the actual paperwork comes out in the next couple of weeks, we assume—we have not been told—then they will have what is called standing in the courts, and litigation from across the country will be able to speak into and Federal judges across the country will be able to move on an injunction on this out-of-control mandate and to be able to say they cannot just compel people to be able to go take a shot because the President wants them to get it.

So that will be the first big step. There will be legislative challenges that will come through this body. They are slower, so the Federal courts are the fastest response to this. But there will be multiple other groups that will push back on this, myself included.

Listen, why would we not respect those individuals who have already had COVID-19? According to an article that is in the Wall Street Journal just today, there was a study out of Israel that shows that the immunity from natural immunity is 27 times more effective than the shot—27 times, according to the study that has just recently come out.

To ignore that and to say that is not enough is absurd—or to compel Americans, whether they have had COVID or not, to be able to have a behavior just because the President has “lost patience” is not who we are as Americans. It is not constitutional. It will not stand in the courts and should not stand. We should push back on this.

### GOVERNMENT SHUTDOWNS

Mr. LANKFORD. Mr. President, you are very aware because in the committee that we both sit on, we have worked through a process of trying to form an answer to a problem that is coming at us again in 2 weeks.

Two weeks from now, we will hit the end of the fiscal year. At the end of the fiscal year, according to the Budget Act of 1974, we should have already passed 12 appropriations bills out of this body, 12 appropriations bills out of the House, have conferred those two bills, sent it to the White House for a signature. That is the instructions that should be done by the end of the fiscal year.

The problem with that is the Senate has not passed a single one of those appropriations bills even out of committee—not one. So our government is not funded 2 weeks from now, which means the countdown clock will begin again toward when we are headed to another government shutdown, and the conversation will be: Are we going to have another government shutdown? Are we going to be open? What is going to happen to Federal workers?

Agencies across Washington, DC, and across the country will shortly get instructions for here is what to do in case of a shutdown in your Agency. Here is who, of employees, would be nonessential, what needs to happen to them; essential, what needs to happen to them.

And the chaos will begin in all these Agencies because 2 weeks from now we are headed toward the end of the fiscal year and not a single appropriations bill, of the 12, has been taken up in committee. Not one of them is even scheduled even to be debated on the floor of the Senate. We will not have appropriations bills done 2 weeks from now. It is not going to happen.

So here are the alternatives: There will be what is called a short-term continuing resolution of some length or we will have a shutdown 2 weeks from now.

For the past 3 years, Senator MAGGIE HASSAN and I have proposed a very straightforward solution to end the threat of government shutdowns. Our straightforward proposal to stop government shutdowns is a simple way to be able to solve this issue. If we get to the end of the fiscal year, September 30, midnight, and we have not finished the work that needs to be done on those 12 appropriations bills, automatically a continuing resolution will kick in to prevent a government shutdown. But starting the very next day, October 1, the Senate and the House have mandatory quorum calls every single day until we finish the 12 appropriations bills. We stay here to be able to finish our work. But the work has to be done.

Why is that important? Because Federal Agencies shouldn't constantly be worried about another government shutdown, and the American people should be able to interact with their own government. Now, all of us know the government actually doesn't shut down, but it moves into shutdown mode. Some people have to show up for work; some people do not. But everyone is paid. Some people can get access to a permit when they contact their